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EXAMINER

DOAN, DUYEN MY

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

MAILED

Application Number: 09/819,427
Filing Date: March 27, 2001
Appellant(s): MANSFIELD ET AL.

JAN 17 2006

Technology Center 2100

David R. Risley
For Appellant

EXAMINER'S ANSWER

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This is in response to the appeal brief filed 10/20/05 appealing from the Office action mailed 6/17/05.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

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The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

5,717,923	Dedrick	11-1994
6,542,898	Sullivan	5-1999
6,076,166	Moshfeghi	1-1997

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1, 3-7, 9-11, 13-17, 19-21, 23-27, 29-33, and 36-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dedrick (U.S. Patent Number 5,717,923) in view of Sullivan et al. U.S. Patent Number 6,542,898), hereinafter referred to as Sullivan.

Regarding claim 1, Dedrick disclosed a method for providing personalized customer support (Title, Abstract) comprising: receiving customer information from a customer (Abstract, Figures 3-4, column 2 lines 4-7, column 3 Lines 37-55)', creating a

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profile for the customer that includes the received customer information (column 3 Lines 37-55, column 5 lines 50-59), evaluating the customer information contained in the profile (column 6 Lines 34-52, column 19 Lines 13-26), and presenting the information to the customer in at least one personalized web page (column 4 Lines 1 1-23, column 6 Lines 34-52, column 19 Lines 13-26).

Dedrick taught the invention substantially as claimed. However, Dedrick did not expressly teach a method wherein the customer information including information as to products that the customer uses and customer support information is identified specifically relevant to the products that the customer uses. Personalized customer support method of Dedrick to provide customer support to products that the customer uses (Figure 8, column 17 Lines 17-25, column 1 Lines 27-36, lines 59-65).

Sullivan disclosed a method wherein the customer information including information as to products that the customer uses and customer support information is identified specifically Dedrick suggested exploration of ad and/or provided a reason to modify the relevant to the products that the customer uses (Figures 9-1 1, column 1 Lines 42-51, column 2 lines 16-31, column 8 Lines 56-67, column 9 Lines 37-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Dedrick with the teachings of Sullivan to provide customer support information for computer products that the customer uses in order to in order to provide online technical support services to diagnose and solve hardware or software problems that customers encounter as they use their products (Sullivan, column 1 Lines 20-31) since as businesses continue to move on-line,

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distributed computing environments become more complex and, thus, more difficult to troubleshoot (Sullivan, column 1 lines 19-31).

Regarding claims 3 and 4, Dedrick and Sullivan disclosed a method wherein the step of received customer information further includes user profile and demographics information such as employer, job title, business areas of interest, personal preferences (products the customer uses, customer's business, and customer's level of technical expertise) (Dedrick, Page 4 column 3 Lines 37-67, Sullivan, column 10 lines 13-29, column 11 Lines 10-26). Other subsets of user profile and demographics information that are disclosed by Dedrick are personality traits, personal preferences, preferred learning modes, willingness to participate in survey, etc.

Regarding claim 5, Dedrick disclosed a method wherein receiving customer information comprises receiving information from an online customer survey that includes a series of questions that are posed to the customer (column 3 Lines 43-67).

Regarding claim 6, Dedrick disclosed a method wherein identifying customer support information cross-referencing the customer information with information contained within a Library database (Abstract, column 2 lines 3-24, column 6 Lines 34-52, column 7 Lines 36-56, column 8 Lines 37-48).

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Regarding claim 7, Dedrick disclosed a method wherein identifying customer support information comprises cross-referencing the customer information with data modules contained within the library database (Abstract, column 2 Lines 3-24, column 6 Lines 34-52, column 7 Lines 36-56, column 8 Lines 37-48).

Regarding claim 9, Dedrick disclosed a method wherein the at Least one personalized web page only includes customer support information that is relevant to one or both of the products the customer uses and the customer's business (column 3 lines 37-67, column 4, lines 44-55, column 6 lines 34-52, column 7 lines 36-56).

Regarding claim 10, Dedrick disclosed a method wherein presenting the customer Support information to the customer comprises presenting information through multimedia content (audio and video instructions! to the customer (column 4 lines 1 1-23, lines 44-55, Page 5 column 6 Lines 53-63, column 15 lines 17-36).

Regarding claims 11, 13-17, and 19-20, the system for providing personalized customer support corresponds directly to the method of claim 1-, 3-7, and 9-10, and thus these claims are rejected using the same rationale.

Regarding claims 21, 23-27, and 29-30, the computer readable medium having software for providing personalized customer support corresponds directly to the method of claim 1,3-7, and 9-10, and the system of claims 11, 13-17, and 19-20, and thus these claims are rejected using the same rationale.

Regarding claim 31, Dedrick and Sullivan combined disclose a method for providing personalized customer support (Dedrick, Title, Abstract; Sullivan, Title, Abstract, Figures 9-11, also see Sullivan col.10, lines 48-49), comprising: receiving information from a customer about the products the customer uses the customer's business and the customer's Level of technical expertise; evaluating the customer information', creating a customer profile based upon the evaluation of the customer information', retrieving customer support information modules that are specifically relevant to the customer profile and therefore the products the customer uses the customer's business and the customer's level of technical expertise, and automatically generating a personalized web page containing the retrieved customer support information (Dedrick, Title, Abstract, column 2 lines 3-24, column 3 lines 37-67, column 4 lines 11-23, column 6 lines 34-52, column 19 Lines 13-26*, Sullivan, Title, Abstract, Figures 9-11, column 8 Lines 56-67, column 9 lines 37-53, column 10 lines 13-30, lines 48-49, column 11 lines 10-26).

Regarding claim 32, Dedrick disclosed a method wherein personalized web pages relevant to training, troubleshooting, and database information are respectively automatically generated (column 3 Lines 43-55, column 5 Lines 34-49, column 5 Line 60-column 6 Line 3, Page 6column 6 Lines 53-63).

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Regarding claim 33, Dedrick disclosed a method further comprising responding to questions posed and issues raised by customers online (column 3 lines 62-64, column 8 Lines 25-47).

Regarding claim 36, Sullivan disclosed a method wherein the information as to products that the customer uses includes at Least one of a make and model of a product, a present configuration of the product, an application used with the product, and a configuration of a network to which the product is connected (column 6 Lines 21-37, column 7 lines 38-57).

Regarding claim 37, Sullivan disclosed a method wherein the information about the customer's business includes at Least one of the type and volume of the business, the number and size of its Locations, the number of users of computing equipment, the nature of the use of the computing equipment, and the configuration of the Locations (column 7 Lines 38-57).

Regarding claim 38, Sullivan disclosed a method wherein the information about the customer's Level of technical expertise includes an indication as to whether the customer is at a novice Level, an intermediate level, or an advanced Level (column 9 lines 13-29, column 1 lines 10-26).

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Regarding claim 39, Sullivan disclosed a method wherein presenting the customer support information to the customer comprises presenting tutorial information as to initialization and configuration of a product that the customer uses (Figures 8-1 1, column 9 Lines 3-14).

Regarding claim 40, Sullivan disclosed a method wherein presenting the customer support information to the customer comprises presenting troubleshooting information that is directed at solving problems that are being experienced by the customer with a product that the customer uses (Figures 9-1 1, column 6 Lines 54-59, column 7 lines 38-57).

Regarding claim 41, Sullivan disclosed a method wherein presenting the customer support information to the customer comprises presenting optimization information directed at optimizing performance of a product that the customer uses (column 6 Lines 21-37, column 9 Lines 3-14).

Since all the Limitations of the claimed invention were disclosed by the combination of Dedrick and Sullivan, claims 1, 3-7, 9-1 1, 13-17, 19-21, 23-27, 29-33, and 36-41 are rejected.

Claims 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dedrick

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(U.S. Patent Number 5,717,923) in view of Sullivan et al. U.S. Patent Number 6,542,898), hereinafter referred to as Sullivan, and further in view of Moshfeghi et al. (U.S. Patent Number (6, 076,166), hereinafter referred to as Moshfeghi:

Regarding claim 34, Dedrick disclosed method for providing personalized electronic information (Title, Abstract) comprising: receiving customer information from a customer (Abstract, Figures 3-4, column 2 Lines 4. -7, column 3 lines 37-55), creating a profile for the customer that includes the received customer information (column 3 lines 37-55, column 5 lines 50-59), evaluating the customer information contained in the profile (column 6 lines 34-52, column 19 lines 13-26), and presenting the customer support information to the customer in at least one personalized web page (column 4 lines 11-23, column 6 lines 34-52, column 19 lines 13-26). Sullivan disclosed a method wherein the customer information including information as to products that the customer uses and customer support information is identified specifically relevant to the products that the customer uses (Figures 9-1 1, column 1 Lines 42-51, column 2 Lines 16-31, column 8 Lines 56-67, column 9 Lines 37-53).

The combination of Dedrick and Sullivan taught the invention substantially as claimed. However, The combination of Dedrick and Sullivan did not expressly teach a step of providing information as to designing a computing system specific to the customer's needs.

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Dedrick suggested exploration of ad and/or provided a reason to modify the method with the computer system computing system specific to the customer's needs (column 2 Line 62-column 3 line 3, column 5 Lines 4-19).

In an analogous art, Moshfeghi disclosed a method of providing information as to designing a computing system specific to the customer's needs (Abstract, column 4 lines 11- 38, column 7 lines 8-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the method of Dedrick with the teachings of Moshfeghi to include a step of providing information as to designing a computing system specific to the customer's needs in order to take into account user' equipment environment information (Moshfeghi, column 7 lines 40-48) since computing system imposed certain constraint on the personalized requested content (Abstract, column 7 Lines 40-48).

36. Regarding claim 35, Dedrick disclosed a method further comprising providing an evaluation of the customer's existing computing system (column 4 Lines 11-38, column 7 Lines 8-19).

Since all the limitations of the claimed invention were disclosed by the combination of Dedrick and Moshfeghi, claims 34-35 are rejected.

(10) Response to Argument

a) Applicant argues "There is no suggestion or motivation in the prior art to modify Dedrick with the teachings of Sullivan".

As regarding claim 1:

b) Applicant argues "nothing within the Dedrick disclosure concerns providing customer support, whether it be customized or not".

c) Applicant argues, "The Dedrick system does not present any customer support information to a user".

d) Applicant argues, "Dedrick does not teach or suggest that a "personalized web page" is present to a user".

e) Applicant argues, "The prior art does not teach the information is about a "product"".

f) Applicant argues, as regarding claims 11 "the combination of Dedrick and Sullivan does not teach means for receiving customer information that includes information as to products that the customer uses".

g) Applicant argues, as regarding claims 21 "the combination does not teach "logic configured to receive customer information from a customer, the customer information including information as to products that the customer uses", "logic configured to identify customer support information specifically relevant to the products that the customer uses" or "logic configured to present the customer support information to the customer in at least one personalized web page".

As regarding claim 31:

h) Applicant argues, "the combination of Dedrick and Sullivan does not teach receiving information from a customer about the products the customer uses, the customer' business, and the customer's level of technical expertise".

i) Applicant argues, "neither Dedrick nor Sullivan talk of customer support information modules".

j) Applicant argues, "neither Dedrick nor Sullivan teach or suggest "automatically generating a personalized web page containing the retrieved customer support information", Neither Dedrick nor Sullivan speak of any "personalized web page".

As regarding to point a, In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Dedrick discloses "allow electronic information to be customized, thus to increase the appeal and effectiveness of electronic information, it would be beneficial to provide a system which customizes the electronic information to the individual end users which will consume the information" (see Dedrick col.1, lines 28-36). Sullivan discloses, "Technical support services and programs are designed to diagnose and solve hardware or software problems that users and/or customer encounter as they use their computers. As business continue to move on-line, distributed computing environments become more complex and, thus more difficult to troubleshoot... Many internal or

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external business network application are now being connected to the Internet's World Wide Web to make information accessible anywhere using conventional browser software... The most common method of technical support is still a telephone conversation... It is quite frustrating for users who cannot solve their problems... (see Sullivan col.1, lines 19-67, to col.2, lines 1-6). Therefore, a person with ordinary skill in the art would have been motivated to use inventions of Dedrick and Sullivan to come up with the present invention.

As regarding point b,c, In response to applicant's argument, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Dedrick discloses customized the electronic information for user, regardless of the type of the information. Sullivan clearly teach "providing customer support information (see the title, or the entire reference).

As regarding point d, Dedrick clearly teach the customize webpage to deliver electronic information to user (see Dedrick's abstract). In addition to Dedrick, Sullivan also teaches, "providing an audience personalized view of the content (e.g different homepage for each audience) (see Sullivan col.10, lines 48-49).

As regarding to point e, f, in light of the specification, applicant does not specifically define the word "product". Therefore Examiner relies on the Dictionary

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definition of the word "product" (something produced by human or mechanical effort or by a nature process) (see *American Heritage College dictionary fourth edition*). Dedrick discloses receiving the information from the user the information includes "lifestyle, behavior characteristics (which is produce by human), preferred learning mode...personal and business area of interest..." (see Dedrick col.3, lines 37-67). The product that customer uses "text and video of an electronic newspaper" (see col.4, lines 11-23). Examiner is forced to interpret the claim limitations as broadly as reasonably possible, in determining patentability of the disclosed invention.

As regarding point g,l, applicant merely include the word "logic" or "module". A person with an ordinary skill in art would know that the applicant referring to the software product to perform the method of the claimed invention. As disclosed in points a-e above, both Dedrick and Sullivan using software product such as webpage, web browser...to perform the described method (see Dedrick col.3-col.4).

As regarding point h, Dedrick-Sullivan discloses customer's business (see Dedrick col.3, lines 37-67, Sullivan col.7, lines 11-15). Sullivan specifically discloses the customer level of expertise (see Sullivan col.10, lines 10-25, audiences, internal support, premium end user, end user, support engineer). Execute the search string depends on the given audience to which the user belong (see col.8, lines 35-36).

As regarding point j, Dedrick discloses generating the customized information (regardless of the type of the information) on webpage to end user base on the information receive from the user (see col.3, to col.4). The server automatically does

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this process without the user intervention. In addition, Sullivan also teaches, "providing an audience personalized view of the content" (see Sullivan col.10, lines 48-49)

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Duyen Doan

January 3, 2006

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